

BILL
WYOMING WILDLIFE, RECREATION AND CONSERVATION PERMANENT ACCOUNT
ACT

W.S. § Short title.

This article shall be known, and may be cited, as the "Wyoming Wildlife, Recreation and Conservation Permanent Account Act."

W.S. § Legislative declaration.

- (a) The Legislature finds that Wyoming possesses a unique wildlife and environmental heritage.
- (b) The Legislature finds that our unique wildlife and environmental heritage is vital to our citizens' quality of life and our state's economy, now and for future generations.
- (c) The development of Wyoming's mineral resource endowment will be enhanced by allocating state resources to the maintenance and improvement of wildlife and wildlife habitat.
- (d) Citizens' access to outdoor recreation, hunting and fishing, particularly on public lands, is a significant priority in Wyoming.

- (e) Continued reliance on sportsmen's license fees and limited grants from the federal government is inadequate to maintain Wyoming's unique wildlife and environmental heritage.
- (f) It is the purpose of this act is to promote, preserve and enhance this unique Wyoming heritage by creating a Wyoming Wildlife, Recreation and Conservation Permanent Account administered by a citizen board to coordinate public and private donations and manage distribution of the investment earnings from the permanent account.

W.S. § Definitions.

(a) As used in this article:

(i) "Board" means the Wyoming wildlife, recreation and conservation permanent account board established by

W.S. _____;

(ii) "Permanent Account" means the Wyoming wildlife, recreation and conservation permanent account created by

W.S. _____.

(iii) "Current Account" means the separate account into which interest earned from investment of the corpus of the

permanent account shall be credited, into which special appropriations and additional special funds may be received, and from which grants shall be funded according to this act.

W.S. § Wyoming wildlife, recreation and conservation permanent account established; corpus inviolate; investment by state treasurer; title to property held by the Board; Secretary to the Board.

- (a) An account within the trust and agency fund is established which shall be referred to as the Wyoming Wildlife, Recreation and Conservation Permanent account. The Permanent account shall consist of those funds designated to the account by law and all monies received from federal grants and other contributions, grants, gifts, transfers, bequests and donations to the permanent account. The permanent account is specifically empowered to accept grants, gifts, transfers, bequests and donations including those which are limited in their purposes by the grantor.
- (b) The monies deposited into the permanent account are inviolate and constitute a permanent or perpetual trust

fund. The monies shall be transmitted to the state treasurer for credit to the Permanent account and shall be invested by the state treasurer as authorized under W.S. 9-4-711 in a manner to obtain the highest return possible consistent with the preservation of the corpus. With the exception of those funds specifically treated differently in this act, any interest earned from investment of the corpus of the permanent account shall be credited by the state treasurer into a separate account within the trust and agency fund (the "Current Account") and distributed in accordance with this act.

- (c) Title to any interest in property conveyed to the Permanent account shall be in the name of the Board. The Board shall not have the power of eminent domain and only has the power to acceptor dispose of an interest in property, whether in fee, by way of easement, or otherwise, when the transaction with the Board is that of a willing conveyor of the interest.
- (d) Administration of any property held by the Board shall be by the Secretary to the Board, who shall be employed by the Board and located within the Game and Fish Department.

- (e) The Secretary to the Board shall further act as liaison for the Board to other State, Federal and Local governmental agencies, as well as non-profit organizations.
- (f) The Legislature may, from time to time, appropriate funds directly to the Current account within the trust and agency fund for distribution in accordance with the terms of this act. Such specially appropriated funds shall be credited directly by the state treasurer into the Current account within the trust and agency fund and are available to the Board for award of grants as otherwise permitted by this act.
- (g) Individuals and/or other entities may also grant, give, transfer, bequest or donate funds to the Permanent account or the Current account. Such funds shall be credited by the state treasurer to either the Permanent or Current account, as appropriate, in a manner consistent with the conditions attached to their receipt.

**W.S. § Wyoming wildlife, recreation and conservation
permanent account board; creation; members.**

(a) There is created the Wyoming Wildlife, Recreation and Conservation Permanent account Board. The board shall consist of seven (7) members, as follows:

(i) Three (3) persons appointed by the Governor, subject to Senate confirmation, who are representative of wildlife advocacy interests, sportsmen and tourism; and

(ii) Four (4) persons appointed by the Governor from the following:

(A) Two (2) persons who are senate confirmed members of the Wyoming Game and Fish Commission; and

(B) Two (2) persons who are senate confirmed members of the Wyoming Board of Agriculture.

(b) Except for the initial board, each appointed member of the board shall serve for a term of three (3) years. Of the initial appointees, two (2) members shall be appointed for one (1) year, two (2) members shall be appointed for two (2) years and three (3) members shall be appointed for three (3) years. The governor may remove any member as provided in W.S. 9-1-202. A vacancy on the board shall be

filled for the balance of the unexpired term. The board shall select one (1) of its members to serve as chair.

(c) The board shall meet regularly. Members shall serve without compensation but shall be reimbursed for expenses incurred in the performance of their duties in the manner and amounts provided by law for state employees.

W.S. § Wyoming wildlife, recreation and conservation permanent account board; duties and responsibilities.

(a) The board shall:

(i) Adopt rules and regulations in accordance with the Wyoming Administrative Procedures Act to:

(A) Establish criteria for grants from the Current account which accomplish the purposes of this act;

(B) Establish criteria for matching funds or other in-kind contributions from grantees;

(C) Evaluate, rank and prioritize grant proposals;

(D) Review and monitor grants to grantees;

(E) Emphasize citizen access for hunting, fishing and recreation activities;

(F) Establish criteria for the acceptance or rejection of gifts, transfers, bequests and donations including interest in real or personal property.

(G) Consider other necessary matters.

(b) In fulfilling its duties under subsection (a) of this section, the board may:

(i) Consult with the Wyoming Game and Fish Commission, the Department of State Parks and Cultural Resources and the Wyoming Department of Agriculture, as well as other governmental agencies and non-profit organizations, as necessary;

(ii) Accept or decline federal grants and other contributions, grants, gifts, transfers, bequests and donations from any source;

**W.S. § Disbursement of grants from permanent account
investment earnings.**

- (a) The Board may only grant funds to nonprofit and governmental organizations. The board shall award grants to promote, preserve and enhance the unique wildlife and environmental heritage of Wyoming and its people.
- (b) The board shall have the discretion to determine the amount of each grant and any conditions attached to it.
- (c) For the purposes of this act, a grant may include the acquisition of an interest in real or personal property.
- (d) Grants by the Board are not intended to provide a supplement to, or replacement of, the operating budget of any governmental agency or nonprofit organization except as those funds are directly related to the purposes of the grant.
- (e) Disbursements of account revenues shall be for the following purposes:
 - (i) Improvement and maintenance of existing terrestrial habitat necessary to maintain native wildlife populations;

- (ii) Improvement and maintenance of existing aquatic habitat necessary to maintain native fish populations;
- (iii) Acquisition of terrestrial or aquatic habitat when existing habitat is determined critical, or is present in minimal amounts, and acquisition presents the necessary factor in attaining or preserving desired native wildlife or fish population levels.
- (iv) Conservation, maintenance, protection and development of native nongame wildlife resources; or
- (v) Participation in water storage projects for wildlife and instream flow purposes.

W.S. § Biennial audit; report by board.

- (a) The director of the department of audit or his designee shall audit the permanent account biennially. Copies of the audit shall be provided to the governor and the joint travel, recreation, wildlife and cultural resources interim committee.

(b) The board shall annually report to the governor, the joint appropriations interim committee and the joint travel, recreation, wildlife and cultural resources interim committee no later than October 1 with respect to all:

(i) Federal grants, state appropriations and other contributions, grants, gifts, bequests and donations received and credited to the Permanent and Current account during the preceding fiscal year; and grants awarded by the board to nonprofit and governmental organizations.

W.S. § Appropriation.

There is appropriated from the General Fund the sum of _____ million dollars (\$_____) to the Permanent Account.

Effective Date.

This act shall become effective immediately upon completion of all action required for it to become law.